

APPLICANT Evan Galen and Andrew Barons

GAL/DOL
CIP

TITLE: Oil And Water Repellent Compositions And
Methods of Application Thereof

PAGES OF APPLICATION 24

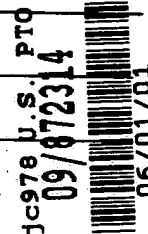
NUMBER OF CLAIMS 41 SHEETS OF DRAWING 1

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DECLARATION: ☐ EXECUTED ☒ UNEXECUTED

Nonpublication Request

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned
Group Art Unit : 1714
Applicants : Evan Galen and Andrew Barons
Application No.: 09/872,314 Confirmation No.: 4906
Filed : June 1, 2001
For : OIL AND WATER REPELLENT COMPOSITIONS AND
METHODS OF APPLICATION THEREOF

New York, New York
August 27, 2001

Hon. Commissioner
for Patents
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND
PETITION UNDER 37 C.F.R. § 1.181(f)

Sir:

This Reply is Responsive to the June 27, 2001 Notice To File Missing Parts Of Nonprovisional Application ("Notice"). issued in connection with the above-identified patent application. Applicants enclose herewith:

1. A copy of the June 27, 2001 Notice to File Missing Parts of Nonprovisional Application;



2. Executed Declaration and Power of Attorney (two (2) originals);

3. A check in the amount of \$65.00 in payment of the surcharge for late filing of the declaration by a small entity;

4. Figure 1; and

5. A date-stamped postcard.

The June 27, 2001 Notice stated that Figure 1 appears to have been omitted from the application. Applicants believe this is incorrect, and have verified with the Patent and Trademark Office that this is incorrect. Applicants' undersigned agent spoke with Ms. Robinson of the Customer Service Center on July 31, 2001 who verified, based on a review of the Patent Office's digital copy of the application, that Figure 1 was received. Ms. Robinson stated that a corrected Notice To File Missing Parts Of Nonprovisional Application ("Corrected Notice") would be issued in the above-identified application to correct the June 27, 2001 Notice. As of the filing of this Reply, however, a Corrected Notice has not been received by applicants' agent.

In addition, the application was page-checked before being sent to the Patent and Trademark Office. Thus, applicants' agent believes that Figure 1 was filed with the application. This has been confirmed by the return-receipt postcard date-stamped by the Patent and Trademark Office indicating that one

(1) sheet(s) of drawing was received with this application (copy enclosed). The enclosed copy of Figure 1 was reproduced from a draft version of the application.

Should the Patent and Trademark Office consider Figure 1 not to have been filed on June 1, 2001 as provided herewith, applicants respectfully request that the Office (i) notify applicant with the next communication from the Office, and (ii) accept the application without Figure 1.

The Director is hereby authorized to charge payment of the petition fee of \$130.00 pursuant to 37 C.F.R. § 1.17(h) to Deposit Account No. 06-1075. Should the Patent and Trademark Office consider Figure 1 to have been filed on June 1, 2001, applicants respectfully request that the Office refund this petition fee to the above-identified Deposit Account. The Director is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s)

transmitted herewith, or to credit any overpayment of same, to
Deposit Account No. 06-1075. A duplicate copy of this Reply is
transmitted herewith.

Respectfully submitted,

Kristin M Joslyn

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I Hereby Certify that this
Correspondence is being
Deposited with the U.S.
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Addressed to:
COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231 on

August 27, 2001
Lillian Garcia

Lillian Garcia
Signature of Person Signing



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,314	06/01/2001	Evan Galen	GAL/001 CIP

CONFIRMATION NO. 4906

1473
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1251 AVENUE OF THE AMERICAS
50TH FLOOR
NEW YORK, NY 10020-1105

FORMALITIES LETTER



OC000000006235085

Date Mailed: 06/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

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The following item(s) appear to have been **omitted** from the application:

- Figure(s) 1 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR**

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.



Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE